

COUNTY OF YORK

MEMORANDUM

DATE: October 3, 2003 (BOS Mtg. 10/21/2003)

TO: York County Board of Supervisors

FROM: James O. McReynolds, County Administrator

SUBJECT: Emergency ordinance authorizing the waiver of building permit fees and temporary dwelling permit sureties in response to the cleanup efforts required by Hurricane Isabel

Attached is a draft emergency ordinance which, if adopted by the Board, would suspend the requirement for building permit fees and the \$2,500.00 surety bond for the use of temporary dwellings during the repair or construction of a permanent residence, for a sixty day period beginning as of the date that the Virginia Peninsula was visited by Hurricane Isabel. The ordinance would provide financial relief to property owners faced with the task of repairing, or in some cases, reconstructing, residences and other buildings damaged or even destroyed by the hurricane. As you may be aware, other jurisdictions in the area have taken similar measures.

County staff has already begun implementing these provisions, based upon conversations which I have had with individual Board members, all of whom agree that such measures should be undertaken. Because the applicable County code provisions impose the building permit fees and the surety requirement for temporary dwellings without exception for declared emergencies, the County Attorney has advised that the Board should consider taking official action to adopt an emergency ordinance.

Virginia code § 15.2-1427 (F) authorizes counties to adopt emergency ordinances without prior notice, provided, however, that the ordinance may be enforced for no more than sixty days unless it is readopted following the publication of a notice and a public hearing, as is generally required of ordinances. If the Board adopts Ordinance No. 03-39, staff will bring the matter back to you for readoption within sixty days once proper public notice has been given. I recommend its adoption.

Barnett/3340:swb

Attachment

- Ordinance No. 03-39